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25 REGIS CORPORATION, SUPERCUTS, INC.,
26 and SUPERCUTS Corporate SHOPS, Inc.

27 **IN THE UNITED STATES DISTRICT COURT**
28 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Michele Kenny, individually and on behalf
of all others similarly situated and as a
Private Attorney General,

8 Plaintiff,

9 || vs.

10 **Regis Corporation**, a Minnesota
11 Corporation, **Supercuts, Inc.**, a Delaware
12 Corporation, **Supercuts Corporate Shops, Inc.**, a Delaware Corporation, and **Does**
One through Twenty-Five, inclusive,

Defendants.

Case No. 06-07521 CRB

**Stipulation and [Proposed] Order to
Shorten Time for Discovery Motions
and Request Hearing on November 9,
2007**

Hon. Charles R. Breyer

Plaintiff Michele Kenny, and Defendants, Regis Corporation, Supercuts, Inc., and Supercuts Corporate Shops, Inc., appearing through their respective counsel of record, stipulate as follows:

1. This action was commenced on December 7, 2006. On May 4, 2007 this Court scheduled a hearing for Motions for Summary Judgment and/or Class Certification for October 5, 2007 at 10:00 a.m. (the “motions”). In a subsequent Order, this hearing was postponed to January 18, 2008, and motions must be filed by December 14, 2007. A discovery dispute has developed that threatens to delay progress on this case.

2. On Friday, November 2, 2007, both parties filed discovery motions. Defendants filed a motion for an order compelling plaintiffs' deposition. Plaintiff filed a motion for an order to compel production of documents, to compel Defendants to proceed with noticed Depositions scheduled for

November 14 and 15, 2007 and for a protective order regarding any further deposing of Plaintiff. In addition, on Monday, November 05, 2007, Defendants advised that they will be filing a motion for protective order regarding the above dispute.

3. The parties have conferred, pursuant to Civil L.R. 37-1(a), via telephone and by written correspondence regarding the above motions, but were unable to reach a resolution regarding the merits of the above motions. However, pursuant to Civil L.R. the parties are in agreement regarding shortening time so that the above motions may be heard on or about Friday, November 9, 2007.

4. Briefly, shortened time is needed because the parties disagree on whether depositions scheduled for November 14 and 15, 2007 should proceed. Defendants also believe that the deposition of Michelle Kenny which commenced on October 24, 2007 should be resumed during the week of November 12, 2007. Plaintiff disagrees that the deposition of Michelle Kenny should be resumed within that timeframe. Plaintiff also seeks to compel production of documents she believes she needs to prepare, file, or respond to the motions to be filed by December 14, 2007. Defendants are also filing their motion for a protective order.

5. Counsel therefore request that the discovery motions be heard Friday, November 9, 2007 and that opposition briefs be filed by Wednesday, November 7, 2007

Dated: November 5, 2007.

BAILEY PINNEY PC

By: _____/s/ _____
Jose R. Mata
Attorney for Plaintiff

1 Dated: November 5, 2007.
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5 SEYFARTH SHAW LLP
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10 By: _____/s/
11 Catherine Dacre
12 Attorney for Defendants
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ORDER

On the stipulation of the parties, and good cause appearing therefor,

PURSUANT TO STIPULATION, IT IS ORDERED that the hearing on the discovery motions filed by the parties, as described above, shall be held on Friday, November 9, 2007. Opposition briefs shall be filed by Wednesday, November 7, 2007. The hearing shall be at 3:00 p.m. in Courtroom E.

Dated: November 7, 2007.

Elijah R. D. Lopati

Charles R. Breyer

~~United States District Judge~~

Elizabeth D. Laporte, United States Magistrate Judge